



BOARD OF APPEAL

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Petition of Frank F. and Ruth B. Lee

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:15 p.m. on November 23, 1976, on the petition of Frank F. and Ruth B. Lee, requesting an exception from the terms of Section XIX of the Zoning By-law which will allow them to construct an addition on the side of their non-conforming two-family dwelling at 20-22 Ledyard Street, with a side yard less than the required twenty feet, as provided under Section XVII B, Non-conforming Buildings, Structures and Uses, of the Zoning By-law.

On October 30, 1976, the petitioners requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioners spoke in support of the request at the hearing.

The following persons spoke in opposition to the request at the hearing: Doris Oldfield, 16 Ledyard Street, Jean M. Capobianco, 24 Columbia Street, and Mrs. Stephen Randall, 12 Ledyard Street. All complained about the number of cars parked on and around the property as a result of number of persons living and visiting the dwelling. There have been hazardous parking problems at the corner of Ledyard and Columbia Streets and the noise and congestion have given the neighbors concern over the safety of the children in the neighborhood. It was stated that the house is on a historical site and has the atmosphere of a rooming house in a single residence district.

Letters opposing the request were received from: Jean Canton and Doris Oldfield, 16 Ledyard Street, Mrs. Helen McMillan, 11 Ledyard Street, Charles and Dorothy Amorosino, 17 Ledyard Street, Ruth R. and Ellen M. Davis, 15 Ledyard Street. All complained also of the numerous cars parked in the area as a result of the large number of occupants of the house involved and felt that the property was a detriment to the value of their properties.

Mrs. Helen Sherman, 39 Summit Road, stated that she was a Director of the Historical Society and would have no objections to the proposed addition.

Statement of Facts

The house involved is a colonial duplex house and has been used as a non-conforming two-family dwelling since before the enactment of the Zoning By-laws in 1925. It is located within a Single-residence District and within a neighborhood of older type but well-kept attractive houses.

The petitioners seek permission to construct an addition 5'6" x 14' on the northerly side of their dwelling in order to enlarge their living room. It was stated that the room presently is only 13' x 13' and

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the proposed enlargement would provide a much more adequate and livable room. It was further stated that since purchasing the property two and one half years ago, the petitioners have completely rehabilitated both sides of the house and are concerned with maintaining the historic character of the house; it is felt that the proposed extension will be an attractive addition and will balance the extension on the other side of the house.

It was pointed out that although the proposed addition, if built, will be only 12½' from the northerly side line, it abuts a 40-foot strip of land which can never be built upon. The house on the adjoining lot, it was stated, is located approximately 100 feet from the petitioners' house so it is felt that the proposed addition will in no way affect the adjoining property.

A plot plan was submitted, drawn by Charles D. Thompson, Land Surveyor, dated October 4, 1976, which showed the house on the lot as well as the proposed addition.

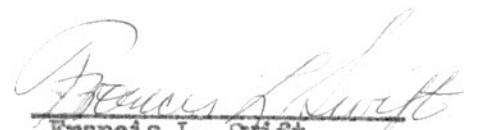
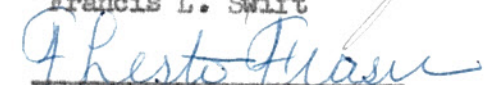

Decision

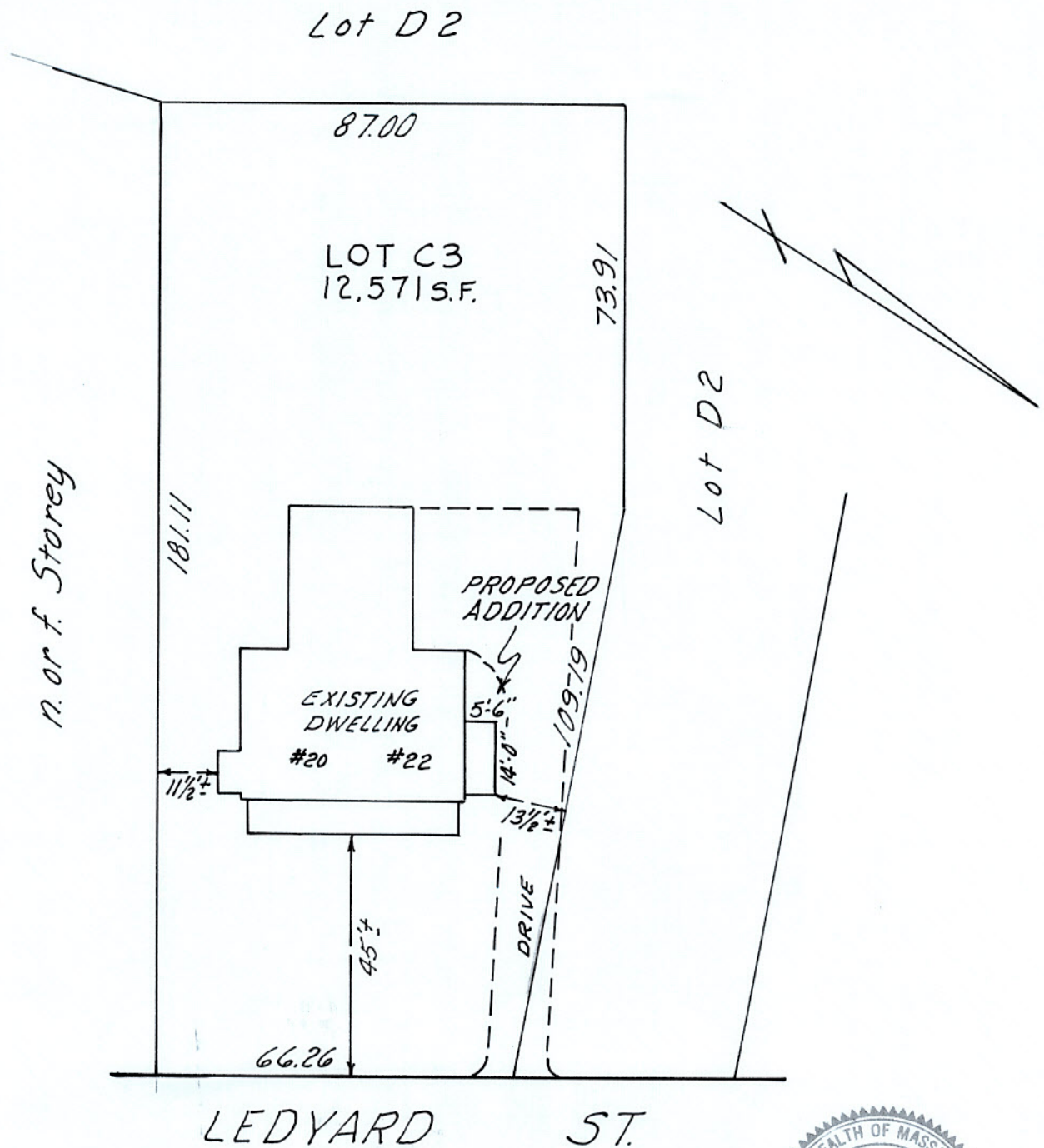
The Board feels that a real need exists for the proposed addition which will provide a room of more practical size and that a literal enforcement of the Zoning By-law in this instance would involve substantial hardship to the petitioners. It is the opinion of the Board that the proposed addition will improve the appearance of the house and the slight encroachment into the side yard will not prove detrimental to the neighborhood, nor derogate from the intent and purpose of the Zoning By-law.

Accordingly, the requested permission is granted and the issuance of a permit for the proposed alteration is hereby directed in accordance with the plan submitted and on file with this Board.

RECEIVED
TOWN ENGINEERING OFFICE
NOV 5 10 55 AM '76

Filed with Town Clerk _____


Francis L. Swift

F. Lester Fraser

William E. Polletta



PLAN OF LAND
IN
WELLESLEY 0 MASS.

SCALE: 1 IN. = 30 FT.

EVERETT M. BROOKS CO.
NEWTONVILLE

OCT. 4, 1976

CIVIL ENGRS.
MASS.



Charles D. Thompson